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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	2:21-cr-00236-JAD-EJY-1
Plaintiff,)	
)	
v.)	<u>STIPULATION TO CONTINUE</u>
)	<u>MOTIONS DEADLINE ONLY</u>
HENRIETTA BINFORD,)	(Third Request)
)	
Defendant.)	

IT IS HEREBY STIPULATED by and between Jason M. Frierson, United States Attorney, as well as Christopher Burton and Steven W. Myhre, Assistant United States Attorneys, Counsel for the United States of America; and Angela H. Dows, Esq., counsel for Defendant HENRIETTA BINFORD, that the pretrial motions and notices of defense deadline be moved for approximately ninety (90) days, to on or before August 22, 2022. The instant stipulation is not intended to request a continuance of the current calendar call and trial dates of October 11, 2022, and October 18, 2022, respectively.

This is the third overall request for a continuance in this case, and the second request by instant counsel for Defendant HENRIETTA BINFORD. This Stipulation is entered into based upon the following:

1. That the parties request a continuance of the motions and notices of defense

deadline, which is currently set to expire on May 24, 2022.

2. The requested extension of the pretrial motions and notice of defense deadline from May 24, 2022 to August 22, 2022 is, in part, to: (1) allow for instant defense counsel to finish the review of the discovery from the government disclosed in January of 2022, which is approximately five thousand (5,000) pages in length and contains banking and patient records, and (2) review additional discovery disclosed by the government in May of 2022.
3. That counsel for Defendant has conferred with her client, who does not object to the requested continuance.
4. That the additional time requested herein is not sought for purposes of delay, but merely to allow the parties sufficient time by which to investigate, research, respond and litigate any pretrial motions and/or defenses deemed necessary prior to trial.
5. The additional time requested by this stipulation does not request an extension of the time of trial. To the extent required, the additional time period requested to continue the matter serves the ends of justice and outweighs the best interest of the public and the defendant in a speedy trial pursuant to the Speedy Trial Act, specifically 18 U.S.C. § 3161(h)(7)(A) and (h)(7)(B).
6. Pursuant to 18 U.S.C. § 3161(h)(7)(B)(i) and (ii) denial of this request for continuance would result in a miscarriage of justice, as additional time is needed by which to effectively and thoroughly research and prepare for trial within the time limits established by 18 U.S.C. §3161, taking into account the exercise of due diligence.

1 7. For all the above-stated reasons, the ends of justice would best be served by a
2 continuance of the pretrial motions and notices of defense deadline.

3 DATED this 19th day of May, 2022.

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5 JASON M. FRIERSON
6 United States Attorney
7 By: /s/ Steven W. Myhre
8 STEVEN W. MYHRE
9 Assistant United States Attorney
10 By: /s/ Christopher Burton
11 CHRISTOPHER BURTON
12 Chief, Special Prosecutions Section
13 Counsel for Plaintiff

 CORY READE DOWS & SHAFER
 By: /s/ Angela H. Dows
 ANGELA H. DOWS, ESQ.
 Appointed Counsel for Defendant
 Henrietta Binford

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)
) 2:21-cr-00236-JAD-EJY-1
Plaintiff,)
)
v.) **FINDINGS OF FACT,**
) **CONCLUSIONS OF LAW, AND**
HENRIETTA BINFORD,) **ORDER THEREON**
)
Defendant.)
_____)

FINDINGS OF FACT

Based on the pending Stipulation of the parties, and good cause appearing therefore, the Court finds that:

1. Defense counsel requires a continuance of the motions and notices of defense deadline in order to review and research the case, including but not limited to additional discovery received in May of 2022.

2. The parties also request additional time to effectively represent their clients in appropriately preparing the case for trial, however do not request an extension of the calendar call or trial dates at this time.

3. Defendant does not object to the continuance.

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CONCLUSIONS OF LAW

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3 1. The additional time requested by this stipulation does not extend the time of trial.
4 The period was previously found excludable in computing the time within which the trial herein
5 must commence pursuant to the Speedy Trial Act, specifically 18 U.S.C. § 3161(h)(7)(A) and
6 (h)(7)(B).

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8 2. Denial of this request for continuance would result in a miscarriage of justice, as
9 additional time is needed by which to review the case, in a case involving charges of Healthcare
10 Fraud and Aiding and Abetting, Aggravated Identity Theft and Aiding and Abetting, and False
11 Statements Relating to Health Care Matters and Aiding and Abetting pursuant to 18 U.S.C. §
12 1347; 18 U.S.C. § 1028A; 18 U.S.C. § 1035(a) and 18 U.S.C. § 2.

13 3. Denial of this request for continuance would also deny the parties herein
14 sufficient time and the opportunity within which to effectively and thoroughly research and
15 prepare for trial within the time limits established by 18 U.S.C. §3161, taking into account the
16 exercise of due diligence. For the above-stated reasons, the ends of justice would best be served
17 by a continuance of the motions and notices of defense deadline, and such continuance
18 outweighs the best interests of the public and the defendants in a speedy trial.

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ORDER

IT IS THEREFORE ORDERED that the parties shall have to and including August 22, 2022 within which to file any and all pretrial motions and notices of defense.

IT IS SO ORDERED.

Dated: May 20, 2022.


UNITED STATES DISTRICT JUDGE